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TECHNOLOGY CENTER R3700

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PATENTS
Response Under 37 C.F.R. § 1.116
Expedited Procedure
Examining Group 3700
ATTORNEY DOCKET NO.: 051480-5016

AF
3747

GD
1/14/04
#22

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|-----------------------------|---|------------------------|
| In re Application of |) | |
| |) | |
| Stephan BOLZ |) | Confirmation No.: 8807 |
| |) | |
| Application No.: 09/622,696 |) | Group Art Unit: 3747 |
| |) | |
| Filed: November 1, 2000 |) | Examiner: Dolinar, A. |
| |) | |
| For: CONTROL SYSTEM FOR AN |) | |
| INTERNAL COMBUSTION ENGINE |) | |

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop AF
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

AMENDMENT UNDER 37 C.F.R. § 1.116 TRANSMITTAL FORM

1. Transmitted herewith is an Amendment in response to the final Office Action dated September 5, 2003.
2. Additional papers enclosed.

| | | | | | |
|--------------------|----------|--------|----------|--------------------------|--|
| 01/14/2004 GPORTER | 00000003 | 500319 | 09622696 | <input type="checkbox"/> | Drawings: <input type="checkbox"/> Formal <input type="checkbox"/> Informal |
| 01 FC:1251 | 110.00 | PA | | <input type="checkbox"/> | Request for Approval of Drawing Change to Figures ____ |
| | | | | <input type="checkbox"/> | Information Disclosure Statement |
| | | | | <input type="checkbox"/> | Form PTO-1449, 1 reference included |
| | | | | <input type="checkbox"/> | Citations |
| | | | | <input type="checkbox"/> | Declaration of Biological Deposit |
| | | | | <input type="checkbox"/> | Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence. |



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TECHNOLOGY CENTER R3700
ATTORNEY DOCKET NO.: 051480-5016
09/622,696
Page 3

5. Fee Calculation (37 C.F.R. §1.16)

| CLAIMS AS AMENDED | | | | | | |
|--|---|-------|--------------------------------|------------------|-----------------|------------|
| | Claims Remaining After Amendment | | Highest No. Previously Paid | Present Extra | at Rate of | Total Fees |
| Total Claims (37 C.F.R. §1.16(c)) | 13 | Minus | 20 | 0 | x \$18.00 each= | + \$ 0.00 |
| Independent Claims (37 C.F.R. §1.16(b)) | 3 | Minus | 3 | 0 | x \$86.00 each= | + \$ 0.00 |
| <input type="checkbox"/> First presentation of Multiple dependent claim(s) | | | | | \$290.00 | + \$ 0.00 |
| SUB-TOTAL = | | | | | | \$ 0.00 |
| Reduction by 1/2 for filing by a small entity- | | | | | | \$ |
| TOTAL FEE = | | | | | | \$ 0.00 |

6. Fee Payment

☒ No fee is to be paid at this time.

☐ Please charge our Deposit Account No. 50-0310 in the amount of **\$0.00** for the _____ fee.

☒ The Commissioner is hereby authorized to charge any additional fees including fees due under 37 CFR §1.16 and §1.17 which may be required, or credit any overpayment to Deposit Account 50-0310.

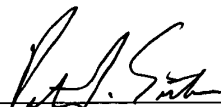
Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: January 5, 2004

CUSTOMER NO.: 009629
MORGAN, LEWIS & BOCKIUS LLP
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
Telephone: 202-739-3000
Facsimile: 202-739-3001

By:


Peter J. Sistare
Reg. No. 48,183

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

☒ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for extension of time.

☐ Applicant petitions for an extension of time, the fees for which are set out in 37 CFR 1.17(a)-(d), for the total number of months checked below:

| <u>Total Months Requested</u> | <u>Fee for Extension</u> | <u>[Fee for Small Entity]</u> |
|---------------------------------------|--------------------------|-------------------------------|
| <input type="checkbox"/> one month | \$ 110.00 | \$ 55.00 |
| <input type="checkbox"/> two months | \$ 420.00 | \$210.00 |
| <input type="checkbox"/> three months | \$ 950.00 | \$475.00 |
| <input type="checkbox"/> four months | \$1,480.00 | \$740.00 |

If an additional extension of time is required, please consider this a Petition therefor.

☐ An extension for __ months has already been secured and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

☒ **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).